

REMARKS

Claims 3-23 and 25-32 are pending in the application and stand rejected. Claims 1-2 and 24 are canceled. Applicants have also made typographical corrections to claims 3, 8, 10, and 25. Applicants appreciate the courtesy extended by the Examiner to the Applicants' representatives during the interview held on January 23, 2008, the content of which is further addressed below. The issues raised by the examiner in the November 9, 2007 Office Action are addressed below.

35 USC §102 Rejection

Claims 3-16, 18-23, and 25-32 have been rejected under 35 U.S.C. § 102 as being anticipated by U.S. Pat. No. 6,807,558 issued to Hassett et al. (hereinafter Hassett). It is respectfully submitted that claims 3-16, 18-23, and 25-32 are patentable for at least the reasons set forth below.

With respect to independent claim 3, the Examiner contends that the claim recitations of “storing geographical map data with data pertaining to commercial enterprises” and “providing said user client with data pertaining to a plurality of commercial enterprises matching said search request such that said user client is presented with an image including said plurality of commercial enterprises superimposed over geographical map data, wherein a level of visibility of each commercial enterprise of said plurality of commercial enterprises in said image is determined according to at least one selection criterion” is disclosed by Hassett. Applicants respectfully disagree.

In particular, the Examiner contends that Hassett teaches: “storing geographical map data with data pertaining to commercial enterprises,” citing “the units: 114, 134, etc. Fig. 1A; col. 6 and associated texts, col. 42, lines 33-51.” See Action p. 3. However, Applicants' representative has carefully reviewed the cited portions of Hassett and finds no teaching of *geographical map data* as is claimed. Moreover, the claim also recites that the geographical map data is stored with data pertaining to commercial enterprises.

By contrast, Hassett discloses an Area of Dominant Influence (ADI) which is a geographical region used to specify a territory for a channel or ad (see column 42 lines 40-51).

Nowhere do the passages cited by the Examiner disclose “storing geographical map data” or “geographical map data with data pertaining to commercial enterprises” as recited in claim 3.

The Examiner also maintains that Hassett recites: “providing said user client with data pertaining to a plurality of commercial enterprises matching said search request such that said user of said user client is presented with an image including said plurality of commercial enterprises superimposed over geographical map data,” citing e.g., col. 6, lines 31-67, Fig(s). 1-3 and associated texts. Action pp. 3-4. As indicated above, the cited portions of Hassett do not teach *geographical map data* and therefore do not teach how data pertaining to commercial enterprises are superimposed on the geographical map data.

As discussed during the interview, Applicants have amended claim 3 to more clearly recite the above described distinctions. As amended, claim 3 now recites “storing geographical map data with data pertaining to commercial enterprises, *said geographical map data representative of at least one map image of a geographic area* (emphasis added). The Examiner agreed during the interview that, pending a further search, the amendment would overcome the rejection.

For at least the foregoing reasons, independent claim 3 is neither anticipated nor rendered obvious by Hassett. Similar amendments have been made to independent claims 19, 30 and 32 which recite similar features to those described in claim 3. Therefore, claims 19, 30, and 32, and their dependent claims including claims 4-18, 20-29, and 31 are patentable for at least the same reasons. Withdrawal of the rejection of claims 3-23, and 25-32 is respectfully requested.

35 USC § 103 Rejection

Claim 17 has been rejected under 35 U.S.C. § 103 as being unpatentable over Hassett in view of U.S. Pub. No. 2002/0035611 (Dooley). The Examiner contends that the recited element of “a subscription fee paid by each of said plurality of commercial enterprises” is disclosed by Dooley sections 0038-0036 and 0070. Applicants respectfully disagree. The passages cited by the Examiner discuss promotional pages that may contain advertisements or coupons. Nowhere do the passages disclose “a subscription fee paid by each of said plurality of commercial enterprises” as recited in the claim.

Furthermore, Dooley claims priority to provisional application 60/176,024 filed on Jan. 14, 2000 and provisional application No. 60/220,555 dated Jul. 25, 2000. Only the former provisional has an earlier priority date than the priority date of May 18, 2000 of the current application. A review of the Jan. 14, 2000 provisional application reveals that it does not disclose a subscription fee. Therefore, any possible reference related to subscription fees in Dooley would have to be based on the later provisional application, which is not a valid prior art reference with respect to the current application. Applicants further reserve the option to antedate the Dooley reference.

Accordingly, withdrawal of the rejection of claim 17 under 35 U.S.C. § 103 is respectfully requested for at least the reasons provided.

Conclusion

In view of the foregoing amendments and remarks, Applicants submit that the above-identified application is in condition for allowance. Early notification to this effect is respectfully requested. Finally, Applicants' undersigned representative respectfully invites the Examiner to contact the undersigned directly at (206) 332-1384 to discuss any remaining issues that might be resolved by way of a telephonic interview.

Respectfully submitted,

Date: March 6, 2008

/Michael D. Stein/
Michael D. Stein
Registration No. 34,734

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439